

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

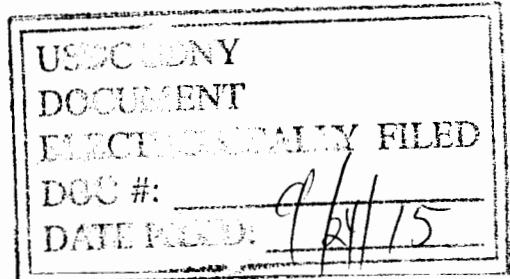
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CHAZ GLYNN,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.
----- x



12 Civ. 4571 (JSR) (HBP)

06 Cr. 580 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

Petitioner Chaz Glynn previously moved pursuant to 28 U.S.C. § 2255 to vacate, set aside or correct his sentence in the criminal case bearing Docket No. 06 Cr. 580. Mr. Glynn also moved to appoint counsel and moved for an evidentiary hearing. The matter was referred to Magistrate Judge Henry Pitman, who, on August 20, 2015, filed a Report and Recommendation, recommending that the Court deny each of these motions. Petitioner Glynn submitted objections to Magistrate Judge Pitman's Report and Recommendation in a letter dated September 8, 2015. The Government has not filed a response to the Report and Recommendation or to Mr. Glynn's objections, but the Court has not requested that it do so, because the Court, having reviewed the record de novo, is in total agreement with Magistrate Judge Pitman's detailed and excellent Report and Recommendation. Accordingly, the Court hereby adopts Magistrate Judge Pitman's Report and Recommendation, and denies Mr. Glynn's motion made pursuant to 28 U.S.C. § 2255 for the reasons set forth in Magistrate Judge Pitman's

Report and Recommendation. The Court additionally denies Mr. Glynn's motions for an evidentiary hearing and for appointment of counsel, also for the reasons set forth in Magistrate Judge Pitman's Report and Recommendation.

Furthermore, because petitioner has not at this time made a substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is hereby instructed to close document number 1 on the docket of this case.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
September 23, 2015